

**Introduced by Senator McClintock**

February 22, 2005

---

An act to add Section 21167.9 to the Public Resources Code, relating to environmental quality.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 785, as introduced, McClintock. CEQA: procedure.

The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires that an action or proceeding to attack, review, set aside, void, or annul any acts or decisions of a public agency on the grounds of noncompliance with the act comply with specified procedures and timelines.

This bill would require within 15 days of the filing of an action or proceeding to attack, review, set aside, void, or annul any acts or decisions of a public agency on the grounds of noncompliance with the act, in which an entity that is not a natural person is the petitioner that the petitioner file a Certification of Interested Persons that lists all persons, associations of persons, firms, partnerships, corporations, including the parent and subsidiary corporations, and any other entity other than the petitioner that are known by the petitioner to have (1) either a financial interest in the subject matter of the controversy or in the petitioner; or (2) any other kind of interest that could be substantially affected by the outcome of the action or proceeding. The bill would exempt a governmental entity or agency from those requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 21167.9 is added to the Public  
2     Resources Code, to read:  
3     21167.9. (a) Within 15 days of the filing of an action or  
4     proceeding to attack, review, set aside, void, or annul an act or  
5     decision of a public agency on the grounds of noncompliance  
6     with this division, in which an entity is not a natural person is the  
7     petitioner, that petitioner shall file a Certification of Interested  
8     Persons with the court that lists all persons, associations of  
9     persons, firms, partnerships, corporations, including the parent  
10    and any subsidiary corporations, and any other entity other than  
11    the petitioner that are known by the petitioner to have either of  
12    the following:  
13    (1) A financial interest in the subject matter of the controversy  
14    or in the petitioner.  
15    (2) Any other kind of interest that could be substantially  
16    affected by the outcome of the action or proceeding.  
17    (b) This section does not apply to a government entity or  
18    agency.